

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 30, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 773

Introduced by Assembly Member Lieu

February 26, 2009

An act to add Section 1424.6 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 773, as amended, Lieu. Health facilities:—~~finer. citations:~~ *notifications.*

Under existing law, the Long-Term *Care*, Health, Safety, and Security Act of ~~1973~~; 1973, the State Department of Public Health administers various requirements pertaining to long-term health care facilities. Violation of these provisions is punishable by various classes of administrative citations with corresponding administrative penalties.

This bill would require, within 30 days of the issuance of a class “AA” or class “A” violation citation, that the cited facility send written notification to the last known address of the primary contact for all current residents and patients, as specified. ~~The~~ *If the facility fails to send the notifications, the* bill would allow the department to assess an administrative penalty of \$1,000 per day for each day following the end of the 30-day notification ~~period, but would permit the department to waive or lower the penalty if it finds that the facility has made its best efforts to comply with the notification requirements period.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1424.6 is added to the Health and Safety
2 Code, to read:
3 1424.6. Within 30 days of the issuance of a citation for a class
4 “AA” or class “A” violation pursuant to Section 1424 or 1424.5,
5 the cited facility shall send written notification to the last known
6 address of the primary contact for all current residents and patients.
7 The notice shall disclose the violation for which the citation was
8 issued, the date of the citation, *and* a telephone number or Internet
9 Web site address for the department where more information on
10 the citation may be accessed. If the facility is appealing the citation,
11 the notice may also include that fact. If the facility fails to send
12 the notifications pursuant to this ~~paragraph~~ *section*, the department
13 may assess an administrative penalty of one thousand dollars
14 (\$1,000) for each day following the end of the ~~30-day period~~. The
15 ~~department may waive or lower the penalty if it finds that the~~
16 ~~facility has made its best efforts to comply with this paragraph.~~
17 *30-day period.*